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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,257	01/26/2004	Valentin Botosan	706599US2	9582

24938 7590 06/01/2006

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EXAMINER

PILKINGTON, JAMES

ART UNIT	PAPER NUMBER
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3682

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/765,257	BOTOSAN ET AL.	
	Examiner	Art Unit	
	James Pilkington	3682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1- 22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Re clms 1, 16, 18 and 20, the specification does not describe how the first, second and third plurality of tabs engage *a single bolt*, as claimed, and still prevent rotation.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-22 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re clms 1, 16, 18 and 20 it is unclear to the examiner how *one bolt* (clm 1) is being held against rotation by taking any of the three pluralities of tabs and engaging the head of the bolt. What about the bolts to secure the plate from rotating with the center bolt?

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 10-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin et al, USP 5,415,509 in view of Olsson, USP 4,737,057.

Re clm. 10, Martin et al discloses a bolt lock for preventing rotation of a bolt (36) relative to a workpiece comprising:

- A locking plate having a ring-shaped body (80)
- A first extension (82) extending from said ring-shaped body
- A second extension (82) extending from said ring-shaped body
- The first extension (82) includes a second plurality of bendable locking tabs (90, 92, 94)
- The second extension (82) includes a second plurality of bendable locking tabs (90, 92, 94)

Martin does not disclose the ring-shaped body having a first plurality of bendable locking tabs.

Olsson teaches a body (10) having a first plurality of bendable locking tabs (19) for the purpose of providing improved locking means and eliminating locking member 51 to lower cost.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the teachings of Martin and provide the ring-shaped body with a first plurality of bendable locking tabs for the purpose of providing improved locking means and eliminating locking member 51 to lower cost.

Re clm 11, Martin discloses the ring-shaped body (80), said first extension (82) and said second extension (82) being formed of a single piece of material.

Re clm 12, Olsson discloses said first plurality of tabs (19) includes four tabs equally spaced apart along a radial inner edge of said body. (see Figure 1 below)

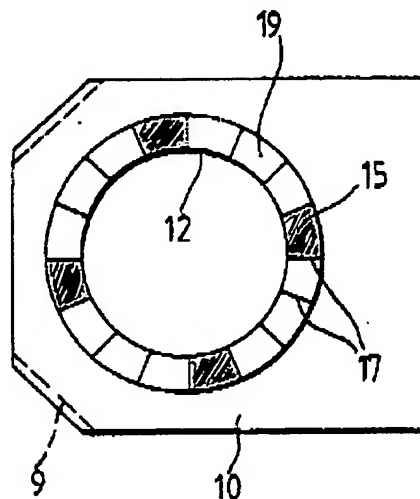


Figure 1, taken from Olsson Figure 2a

Re clm 13, Martin discloses said second plurality of bendable locking tabs (90, 92, 94) project radially outwardly from said first extension (82).

Re clm 14, Martin discloses said second plurality of bendable locking tabs (90, 92, 94) project radially outwardly from said second extension (82).

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Re clm 15, Martin discloses said second plurality of bendable locking tabs (90, 92, 94) includes three tabs spaced approximately ninety degrees apart and said third plurality of bendable locking tabs (90, 92, 94) includes three tabs spaced approximately ninety degrees apart.

Re clm 16, Olsson discloses said first plurality of bendable locking tabs (19) are moveable between an engaged position contacting a head of a bolt (2) and a disengaged position retracted from said head of said bolt (2).

Re clm 17, Olsson discloses said first plurality of bendable locking tabs (19) are substantially perpendicular to said body (10) in said disengaged position and are formed at an angle relative to said body (10) in said engaged position.

Re clm 18, Martin discloses said second plurality of bendable locking tabs (90, 92, 94) are moveable between an engaged position contacting a head of a bolt (78) and a disengaged position retracted from said head of said bolt (78).

Re clm 19, Martin discloses said second plurality of bendable locking tabs (90, 92, 94) are substantially perpendicular to said ring-shaped body (80) in said disengaged position and are formed at an angle relative to said body (80) in said engaged position.

Re clm 20, Martin discloses said third plurality of bendable locking tabs (90, 92, 94) are moveable between an engaged position contacting a head of a bolt (78) and a disengaged position retracted from said head of said bolt (78).

Re clm 21, Martin discloses said third plurality of bendable locking tabs (90, 92, 94) are substantially perpendicular to said ring-shaped body (80) in said disengaged position and are formed at an angle relative to said body (80) in said engaged position.

Re clm 22, Martin discloses said second extension (82) is substantially diametrically opposed to said first extension (82).

7. Claims 10-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin et al, USP 5,415,509 in view of Wilson, USP 1,657,949.

Re clm. 10, Martin et al discloses a bolt lock for preventing rotation of a bolt (36) relative to a workpiece comprising:

- A locking plate having a ring-shaped body (80)
- A first extension (82) extending from said ring-shaped body
- A second extension (82) extending from said ring-shaped body
- The first extension (82) includes a second plurality of bendable locking tabs (90, 92, 94)
- The second extension (82) includes a second plurality of bendable locking tabs (90, 92, 94)

Martin does not disclose the ring-shaped body having a first plurality of bendable locking tabs.

Wilson teaches a ring-shaped body (1) having a first plurality of bendable locking tabs (3 and 7) for the purpose of providing improved locking means and eliminating locking member 51 to lower cost.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the teachings of Martin and provide the ring-shaped body with a

first plurality of bendable locking tabs for the purpose of providing improved locking means and eliminating locking member 51 to lower cost.

Re clm 11, Martin discloses the ring-shaped body (80), said first extension (82) and said second extension (82) being formed of a single piece of material.

Re clm 12, Wilson discloses said first plurality of tabs (3 and 7) includes four tabs equally spaced apart along a radial inner edge of said body. (see Figure 1 below)

Re clm 13, Martin discloses said second plurality of bendable locking tabs (90, 92, 94) project radially outwardly from said first extension (82).

Re clm 14, Martin discloses said second plurality of bendable locking tabs (90, 92, 94) project radially outwardly from said second extension (82).

Re clm 15, Martin discloses said second plurality of bendable locking tabs (90, 92, 94) includes three tabs spaced approximately ninety degrees apart and said third plurality of bendable locking tabs (90, 92, 94) includes three tabs spaced approximately ninety degrees apart.

Re clm 16, Wilson discloses said first plurality of bendable locking tabs (7) are moveable between an engaged position contacting a head of a bolt (4) and a disengaged position retracted from said head of said bolt (4).

Re clm 17, Wilson discloses said first plurality of bendable locking tabs (7) are substantially perpendicular to said body (1) in said disengaged position and are formed at an angle relative to said body (1) in said engaged position.

Re clm 18, Martin discloses said second plurality of bendable locking tabs (90, 92, 94) are moveable between an engaged position contacting a head of a bolt (78) and a disengaged position retracted from said head of said bolt (78).

Re clm 19, Martin discloses said second plurality of bendable locking tabs (90, 92, 94) are substantially perpendicular to said ring-shaped body (80) in said disengaged position and are formed at an angle relative to said body (80) in said engaged position.

Re clm 20, Martin discloses said third plurality of bendable locking tabs (90, 92, 94) are moveable between an engaged position contacting a head of a bolt (78) and a disengaged position retracted from said head of said bolt (78).

Re clm 21, Martin discloses said third plurality of bendable locking tabs (90, 92, 94) are substantially perpendicular to said ring-shaped body (80) in said disengaged position and are formed at an angle relative to said body (80) in said engaged position.

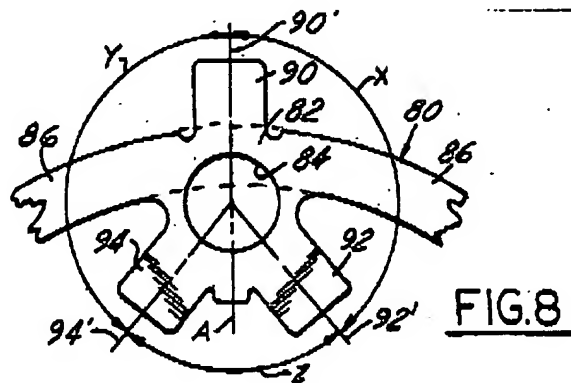
Re clm 22, Martin discloses said second extension (82) is substantially diametrically opposed to said first extension (82).

Response to Arguments

8. Applicant's arguments filed May 4, 2006 have been fully considered but they are not persuasive. Applicant argues that Martin fails to teach a ring-shaped body having extensions and therefore fails to teach that each extension includes a plurality of bendable locking tabs.

Martin does in fact teach a ring-shaped body having extensions (82) and therefore does teach that each extension includes a plurality of bendable locking tabs (90, 92 and 94). This can be seen in Figure 8, added below. Figure 8 shows that the

portion (82) that houses the tabs (90, 92 and 94) extends radially inward of the ring (the ring outline is shown by the hatched line). These extensions (82) include a plurality of bendable locking tabs (90, 92 and 94).



Conclusion

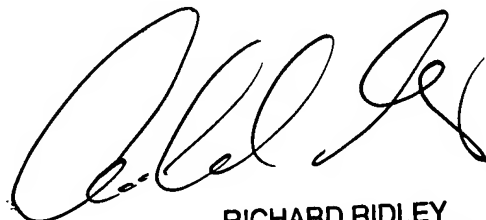
Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Pilkington whose telephone number is (571) 272-5052. The examiner can normally be reached on Monday-Friday 8:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JP

James Pilkington
5-19-2006

A handwritten signature in black ink, appearing to read 'Richard Ridley', is positioned above the printed name and title.

RICHARD RIDLEY
SUPERVISORY PATENT EXAMINER